



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

Nation Religion Roi ជាតិ សាសនា ព្រះមហាក្សត្រ
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ម៉ោង (Time/Heure): 15 : 35
មន្ត្រីទទួលបន្ទុកសំណុំរឿង/Case File Officer/L'agent chargé du dossier: SAMN RANA

WRITTEN RECORD OF PROCEEDINGS

PUBLIC

Case File N° 002/19-09-2007-ECCC/TC

14 January 2013

Substantive Hearing on evidence - Day 147

Prepared by:

Faiza ZOUAKRI and SE Kolvuthy

Attendance Record
Before: Judge NIL Nonn (President), Judge YA Sokhan, Judge Silvia CARTWRIGHT, Judge Jean-Marc LAVERGNE, Judge THOU Mony (replacing Judge YOU Ottara in sessions 1 & 2).
Reserve Judges: Judge Claudia FENZ
Greffiers: Ms. Faiza ZOUAKRI , Ms. SE Kolvuthy.
OCP: Mr. CHAN Dararasmey, Mr. Vincent de Wilde d'Estmael.
Accused: Mr. KHIEU Samphan, Mr. NUON Chea, Mr. IENG Sary (present but in his holding cell).
Defence for the Accused: Mr. SON Arun, Mr. Victor Koppe, Mr. KONG Sam Onn, Mr. Arthur VERCKEN, Mr. Michael KARNAVAS, Mr. ANG Udom.
Civil Parties: Ms. Elisabeth SIMONNEAU-FORT, Mr. SAM Sokong, Mr. LOR Chunthy, Mr. HONG Kimsuon, Ms. CHET Vanly, Ms. SIN Soworn, Ms. Beini YE.
Witness: Mr. UNG Ren (TCW-754), Mr. CHHAOM Se (TCW-100).
Others: Ms. Laura GRETZ, Mr. UCH Arun, Ms SOUR Sotheavy, Mr. LIM Bunheng

(duty counsel).

General court times

Day	Start time: 9:10	Finish time: 9:30
	Total Court Time:	20 minutes

Proceedings

Type of Issue	Raised By	Start time	Finish time
Absence of Judge YOU Ottara	TC	9:11	9:12
Absence of NUON Chea due to illness	TC	9:12	9:13
Request to adjourn proceedings due to the Accused NUON Chea's hospitalization	NC Defence	9:13	9:15
Presentation of the Accused NUON Chea's medical report regarding his Hospitalization	TC	9:16	9:18
Parties' responses to NC Defence's request for adjournment of the proceedings	OCP CPLCL IS Defence KS Defence	9:18 9:19 9:20 9:21	9:19 9:20 9:21 9:21
Order to adjourn the proceedings until 16 January 2013	TC	9:25	9:26

Summary of Proceedings

Absence of Judge YOU Ottara

The Chamber noted the absence of Judge YOU Ottara who was replaced by Judge THOU Mony pursuant to Internal Rule 79.4.

Request to Adjourn Proceedings due to the Accused NUON Chea's Hospitalization

The Defence Counsel for the Accused NUON Chea announced that since the Accused had been admitted to the hospital in the afternoon of 13 January 2013, the Defence counsels did not have the opportunity to discuss with the Accused on a possible waiver of his right to be present at trial. Assuming that the Accused may not waive his right, the

Defence Counsels requested that the proceedings be adjourned until they had the opportunity to address this issue with the Accused..

Presentation of the Accused NUON Chea's Medical Report relating to his hospitalization

The Greffier read the medical report of the Accused NUON Chea By the treating doctor Kem Samsan to the President of th Khmer-Soviet Friendship Hospital. This report indicated that the Accused had been admitted to the hospital on 13 January 2013, at 5.15 p.m and is being treated for severe bronchitis. The Accused would need to be hospitalized for a minimum period of four to seven days.

Parties' responses to NC Defence's Request for Adjournment of the proceedings

The OCP, CPLCL, and Defence Counsels for the Accused IENG Sary and Accused KHIEU Samphan did not oppose the request.

Oral Orders/Decisions:

- Order to monitor the medical condition of the Accused NUON Chea until Wednesday morning 16 January 2013 when the President will inform the parties of any change to the sitting hours. The Chamber also requested that the NUON Chea Defence keep the Chamber informed of its discussions with the Accused. It further noted that it would advise the parties if the proceedings were to resume on Wednesday.
- Order to return Witness CHHAOM Se (TCW-100) and Witness TCW-548 to their homes and bring them back to the court room on 16 January 2013.
- Order to bring the Accused KHIEU Samphan back to the detention facility and return him to the courtroom by 9 a.m. on 16 January 2013 and to bring the Accused IENG Sary back to the detention facility and return him to the holding cell by 9 a.m. on 16 January 2013 to participate from the holding cell.

Orders for Adjournment of Hearing

The hearing will resume on 16 January 2013 at 9 a.m. *SR*

Phnom Penh, 14 January 2013

Greffier

[Signature]
C Faiza ZOUAKRI



Greffier

[Signature]
SE Kolvuthy